

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

CIVIL DIVISION

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS CONCUSSION INJURY
LITIGATION

No. 2:18-md-2323-AB
MDL No. 2323

Kevin Turner and Shawn Wooden, on behalf
of themselves and others similarly situated,
Plaintiffs,

No. 2:12-md—02323-AB

v.

National Football League and NFL
Properties, LLC, successor-in-interest NFL
Properties, Inc.

Hon. Anita B. Brody

Defendants.

THIS DOCUMENT RELATES TO:
ALL ACTIONS

DECLARATION OF GOLDBERG PERSKY & WHITE, P.C.
PURSUANT TO COURT ORDER
DATED MARCH 28, 2018 REGARDING THE ATTORNEYS' FEE QUALIFIED
SETTLEMENT FUND

AND NOW, comes GOLDBERG PERSKY & WHITE, P.C. by and through its attorneys,
BRUCE MATTOCK, ESQUIRE, JASON LUCKASEVIC, ESQUIRE, and makes the following
DECLARATION and RESPONSIVE FILING pursuant to Court Order dated March 28, 2018,
and declares, pursuant to 28 U.S.C. § 1746, as follows:

- A. In response to the Order of the Honorable Justice Anita B. Brody dated March 28,
2018, the undersigned caused to be performed a search and compilation of data in the
attorney-client files of GOLDBERG PERSKY WHITE, P.C. concerning 553
Settlement Class Members, each of whom is a current or former client of
GOLDBERG PERSKY & WHITE, P.C. as of this date of filing.

- B. Further, the undersigned consulted with various members of GOLDBERG, PERSKY & WHITE, P.C. to confirm that complete and accurate data is provided from the client files based on reasonable inquiry, information and belief.
- C. Some documents produced and attached as Exhibits lack certain signatures, dates, etc.; however, on information and belief, a contract is likely to exist and the partial version of the document(s) is provided in the interest of full compliance with the Order.
- D. Because of the extensive and voluminous nature of the materials contained in the 553 Client files, and to comply with the Order of March 28, 2018 in a timely manner, every effort was made to delete personal and confidential Client information; however, to the extent that an inadvertent disclosure is made, it is requested that such matter be deleted by the Court and an appropriate Protective Order be issued.
- E. Because of the Court Order directing release of third party funding data, no Client consent to release any documents or information was obtained. As such, to the extent that this Declaration and Responsive filing may contain confidential and private information subject to the attorney-client privilege, is respectfully requested that the Court accept and enforce such privilege between GOLDBERG PERSKY & WHITE, P.C. and each of the within described Clients.
- F. The following is the RESPONSIVE FILING of GOLDBERG, PERSKY & WHITE, P.C.:
1. How many Settlement Class Members have you, your law firm or any attorney associated with your firm:
- A. Previously represented in this litigation and do not currently represent?

Response to Question 1 (A): 121

B. Currently represent in this litigation?

Response to Question 1 (B): 432

C. Total of (A) + (B):

Response to Question 1 (C): 553

2. How many Settlement Class Members previously or currently represented by you, your law firm or any attorney associated with your law firm:

A. Have received a monetary award?

Response to Question 2 (A): 19

B. Have been informed that they are entitled to receive a Monetary Award?

Response to Question 2 (B): 11

C. Have applied for a Monetary Award?

Response to Question 2 (C): 137

D. That you have knowledge that they will be eligible to receive a Monetary

Award?

Response to Question 2 (D): 8

3. How many Settlement Class Members previously or currently represented by you, your law firm or any attorney associated with your law firm have entered agreements to assign their rights to a Monetary Award ("Assignment(s)")? Assignments include any agreements that are similar to the agreements attached to this Court's Explanation and Order relating to the Third Party Funder Litigation (ECF No 9531). Assignments further include, but are not limited to, any agreement with any of the following third- party litigation funders:

- Atlas Legal Funding, LLC (to include the following related entities: Atlas Legal Funding I, L.P., and Atlas Legal Funding II, L.P.)
- Cambridge Capital Group, LLC (to include the following related entities: Cambridge Capital Group Equity Option Opportunities L.P., and Cambridge Capital Partners, L.P.)
- Cash4Cases, Inc.
- Global Financial Credit, LLC
- HMR Funding, LLC (to include the following related entities: HMRF Fund I, LLC and HMRF Fund II, LLC)
- Justice Funds / Justice funds, LLC
- Ludus Capital, LLC
- Peachtree Funding Northeast, LLC / Settlement Funding, LLC (to include the following related entities: Peachtree Settlement Funding, LLC, Peachtree Originations, LLC, Peachtree Financial Solutions, LLC, Peach Holdings, LLC, Peach HI, LLC, Orchard Acquisition Co. LLC, JGWPT Holdings, LLC, JGWPT Holdings, Inc., J.G. Wentworth, LLC, J.G. Wentworth S.S.C. Limited Partnership, J.G. Wentworth Structured Settlement Funding II, LLC and Structures Receivables Finance #4, LLC)
- Pravati Legal Funding / Pravati Capital LLC
- RD Legal Funding, LLC (to include the following related entities: RD Legal Finance, LLC, and RD Legal Funding Partners, LP)
- Thrivest Specialty Funding, LLC

- Top Notch Funding / Top Notch Lawsuit Loans / Top Notch Funding II, LLC
- Walker Preston Capital Holdings, LLC
- Case Strategies Group (formerly, NFL Case Consulting, LLC)
- Legacy Pro Sports, LLC

Response to Question 3: 56

4. Of the total number of Settlement Class Members included in your answer(s) to question #2, how many of these Settlement Class Members have also entered into the Assignments referenced in question #3?

Response to Question 4: 50

5. Are you, your law firm or any attorney associated with your law firm obligated to pay or forward (directly or indirectly) any portion of a Settlement Class Member's Monetary Award to any third- party litigation funder?

Response to Question 5:

Yes, in accordance with written client directives, the firm signed separate forms of acknowledgement to the third-party litigation funder lien, as attached hereto in Exhibits "A" through "DDD," below.

6. Explain any other role that you, your law firm, or any attorney associated with your law firm may have had in creating, promoting, or facilitating the Assignments referenced in question #3 and/or the obligations referenced in question #5?

Responses to Question 6:

Creating- none.

Promoting- none.

Facilitating- none. However, in accordance with written client directives, the firm signed separate forms of acknowledgement to the third-party litigation funder lien, as attached hereto in Exhibits “A” through “DDD,” below.

7. Do you, your law firm, any attorney associated with your law firm or any individual or entity related to your law firm have any direct or indirect (professional or personal) association with any of the third party litigation funders used by Settlement Class Members previously or currently represented by you, your law firm or any attorney associated with your law firm? If so, provide details of that association. If any of these individuals and/or entities has such an association in the past, provide details of that association. If any of these individuals and/or entities anticipates having such an association in the future, provide details of that association:

Response to Question 7: None.

8. Have any of the Assignments referenced in question #3 been resolved in accordance with the rescission process provided for in ECF No. 9517? If so, indicate those that have been resolved by their designated letter (See “Documents,” below) and the date of the resolution?

Response to Question 8: None to date. However, if, as, or when such an award is to be paid, Plaintiff and Counsel will continue to proceed as appropriate under the ECF No. 9517 protocol established by the Court.

DOCUMENTS:

A. Any Assignments referenced in Question #3:

B. Any collateral documents to the Assignments referenced in subsection

(A), including, but not limited to:

i. Any documents creating, or relating to, any of the obligations referenced in question #5?

ii Any documents relating to an Assignment referenced in question #3 where you, your law firm or any attorney associated with your law firm is named or is a signatory; and/or

iii Any other documents related to an Assignment referenced in question #3 that are in your, your law firm, or any attorney associated with your law firm's possession, custody or control.

C. All versions and drafts of the documents described in subsections (A)-(B) and all such documents entered into or proposed, even if such documents have been terminated or replaced by subsequent documents.

D. All written communications regarding any of the documents described in subsections (A)-(C) between any third party litigation funder and you, your law firm, or any attorney associated with your law firm.

Response: The documents referenced above and identified as Exhibits "A" through and including "DDD" are attached and incorporated in the within DECLARATION and RESPONSE.

Respectfully submitted,

GOLDBERG PERSKY & WHITE, P.C.

Date: 5/1/2018

/s/ Bruce E. Mattock
Bruce E. Mattock, Esquire
Supreme Court ID 43237

/s/ Jason E. Luckasevic
Jason E. Luckasevic, Esquire
Supreme Court ID 85557

GOLDBERG, PERSKY & WHITE, P.C.
11 Stanwix Street
18th Floor
Pittsburgh, PA 15222
(412) 471-3980

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Declaration of Goldberg, Persky & White, P.C. was served upon all counsel of record on May 1, 2018 via ECF filing.

Respectfully submitted,

GOLDBERG PERSKY & WHITE, P.C.

/s/ Bruce E. Mattock
Bruce E. Mattock, Esquire
Supreme Court ID 43237

/s/ Jason E. Luckasevic
Jason E. Luckasevic, Esquire
Supreme Court ID 85557

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